

## **Minutes of the Regular Meeting of Tuesday, March 9, 2004**

### **Twin Pines Senior and Community Center**

#### **CLOSED SESSIONS - 6:30 P.M.**

##### **A. Conference with Legal Counsel, pursuant to Government Code Section 54956.9(a):**

##### **Pending Litigation, Two Cases:**

1. Roslyn Mazzilli v. City of Belmont, Peninsula Corridor Joint Powers Board, and Does I-XX, San Mateo County Superior Court Case No. CIV419903

2. City of Belmont v. Brandon Gregg, Gail Gregg, and Does 1 through 10, inclusive, San Mateo County Superior Court Case No. CIV428315

Attended by Councilmembers Warden, Feierbach, Mathewson, Bauer, Metropulos, City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Deputy City Attorney Zaffarano, Community Development Director Ewing. City Clerk Cook was excused from attending.

##### **B. Public Employee Performance Evaluation, pursuant to Government Code Section 54957: City Manager Kersnar**

Attended by Councilmembers Warden, Feierbach, Mathewson, Bauer, Metropulos, City Manager Kersnar, City Attorney Savaree. City Clerk Cook was excused from attending.

**ADJOURNMENT** at this time, being 7:30 P.M., these Closed Sessions were adjourned.

This meeting not tape-recorded or videotaped.

Terri Cook

City Clerk

#### **REGULAR MEETING**

#### **CALL TO ORDER 8:00 P.M.**

#### **ROLL CALL**

COUNCILMEMBERS PRESENT: Warden, Feierbach, Mathewson, Bauer, Metropulos

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Public Works Director Davis, Community Development Director Ewing, City Clerk Cook.

### **REPORT FROM CLOSED SESSION**

Mayor Metropulos stated that direction had been given, but no action taken, during the closed session held earlier in the evening.

### **SPECIAL PRESENTATIONS**

#### **Proclamation declaring the month of March as American Red Cross Month, 2004.**

Mayor Metropulos read the proclamation.

**Alex Fiteni**, American Red Cross, outlined the projects and services provided by the Red Cross, including First Aid/CPR training and disaster response. He noted that the goal is that one-in-four persons be trained in life saving techniques. He stated that the Red Cross provides communication services for members of the Armed Services serving overseas, sponsors a leadership program for youth, designs programs specifically designed for the Hispanic community, and teaches a Disaster Preparedness Course. He announced Red Cross's sponsorship of a new award called "Unsung Heroes" to be presented at an upcoming event, and encouraged the Council and members of the community to nominate candidates for this new award.

### **PUBLIC COMMENTS AND ANNOUNCEMENTS**

**George Kranen**, Belmont Kiwanis Club, announced that Kiwanis and the Belmont Police Department would be co-sponsoring a Child Safety program which provides fingerprint and photograph identification of children at the City's Easter Egg Hunt the morning of April 10, and in the afternoon at Ralston Village's event. He commented that the Kiwanis had been sponsoring this program for many years, and in 2003, over 200 children were fingerprinted.

Mayor Metropulos reminded parents that it was important for parents to update their child's photo if they had participated in this program in previous years.

## **COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS**

Mayor Metropulos made the following announcements:

- the City of Belmont is now qualified as an official Tree City, USA
- the Bay Area Recycling Coalition is encouraging people to use recycled paper
- his State of the City presentation would be held on March 11, 2004, at Ralston Middle School
- he read to students at Nesbit School in honor of Dr. Seuss' birthday.

Councilmember Bauer stated that he also read to students, and thanked the teachers for the opportunity.

Councilmember Mathewson stated that although the Carlmont High School team was eliminated during the latest round on the local "Quiz Kids" television game show, they did a good job.

## **CONSENT CALENDAR**

In response to Councilmember Warden's question regarding **Item 4-D, "Report on Sale of Belmont Library Bonds, Series 2004-A"**, City Manager Kersnar responded that pending Planning Commission approval on March 16, final design documents would be produced, and the bid opening was scheduled for the fall.

**Approval of** meeting minutes: Regular Meeting of February 10, 2004, and Special Meetings of February 23 and March 1, 2004 (Commission Interviews).

**Acceptance of** Closing Report on Sale of Belmont Library Bonds, Series 2004-A.

**Approval of** Resolution 9510 Accepting Work and Authorizing Issue of Notice of Completion for City Playground Improvements, Golden Bay Construction, CCN 450.

**Approval of** Resolution 9511 Amending the Fiscal Year 2004 Budget and Approving a Revision to Revenue and Supplemental Appropriation for Midyear Review.

**Approval of** Resolution 9512 Amending the Fiscal Year 2004 Budget and Approving a Revision to Revenue and Supplemental Appropriation for Budget Correction Plan.

**Action:** On a motion by Councilmember Mathewson, seconded by Councilmember Warden, the Consent Agenda was unanimously approved by a show of hands.

## **OLD BUSINESS**

### **Biannual Review of Council Priority Calendar - Step One**

Assistant City Manager Rich stated that the goal of the Priority Calendar was to prioritize the workload of staff. He commented that since Council last reviewed the calendar in September, 14 items, or 76 percent, have been completed. He noted that project milestones have been outlined for ongoing projects. He stated that the General Plan and the Economic Development Plan should be reviewed for prioritization, and added that if approved, these projects will consume much of the Community Development Department's time. He added that Council direction was needed regarding the youth in government item.

Assistant City Manager Rich reviewed the new projects and the items added since the last Council review. He clarified that this first step in the process was to review the list for completeness, add any new items, and remove items if they were no longer a priority.

Council and staff discussion ensued regarding the General Plan Update.

Councilmember Feierbach stated that she was concerned about the amount of time required to update the General Plan, and suggested a low-key approach using volunteers. She also noted that planning for the downtown was important.

Councilmember Warden stated that the goals and objectives of the General Plan are purposely vague, and are still relevant. He noted that facts need updating, and some of the details have changed relative to land use, completed projects, and zoning changes. He commented that updating the General Plan is not an urgent matter.

Councilmember Bauer stated that the General Plan is an important document that defines who we are as a community. He noted that all projects revolve around the Plan, and that economic development and downtown planning are important.

Mayor Metropulos agreed that the General Plan just needs a minor update, that economic development is probably more important, and suggested redirecting the hours to that project.

Councilmember Mathewson agreed that economic development and the downtown were critical. He added that commissioners use the General Plan as a reference for projects.

Community Development Director Ewing stated that there are various ways to update a general plan. He reviewed the process, including the required environmental review, and noted that even a minimal update would require a number of hours to complete. He commented that if economic development is a priority, the update of the General Plan should be deferred. He also noted that saving time should not be a factor in determining whether or not to update the General Plan.

**Discussion and Direction to San Juan Hills Subcommittee Regarding their Role in Reviewing Alternative Development Options for Private Property in the San Juan Canyon.**

Community Development Director Ewing reviewed the work of the subcommittee and stated that further direction was needed from the full Council to the subcommittee to identify land use issues to use to negotiate the current development proposal from Mr. Piazza. He reviewed the guiding principles established for the subcommittee's work. Councilmember/Subcommittee member Feierbach added that clarity was needed regarding floor area limits and density. Community Development Director Ewing clarified that density was a complex issue, and he did not recommend setting anything specific for the Piazza project, since densities in future subdivisions were unknown at this time.

Councilmember Warden stated that the Council had already dealt with the legislative issue of density reduction, and that all that remained was to negotiate with Mr. Piazza. In response to his question regarding road extensions, Community Development Director Ewing clarified that this issue was outlined in the guiding principles.

In response to Councilmember Bauer's question regarding the San Juan Canyon Plan and its use in negotiations, Community Development Director Ewing stated that the goal of the Plan was more than just to maximize open space. He noted that the City is a steward for the area, and that San Juan Canyon was an important land use issue in Belmont.

**Warren Gibson**, E. Laurel Creek Road, reviewed the current proposal from Mr. Piazza, which consisted of two homes on 14 acres with minimal impact, the donation of land, and the addition of a conservation easement. He commented that the City owes Mr. Piazza an answer, and added that this project could establish a favorable precedent for future developments. He clarified that he would be recusing himself when this issue came before the Planning Commission.

**George Kranen**, Notre Dame Avenue, requested clarification regarding whether this project would be considered by the Planning Commission, or just the City Council.

Community Development Director Ewing responded that the project needed direction from Council, but would be considered by the Planning Commission. In response to Councilmember Bauer, Community Development Director Ewing stated that Planning Commission members could be added to the subcommittee as long as it did not comprise a quorum. He noted that a smaller committee is easier to manage, and that it was Council's project to direct.

**Action:** On a motion by Councilmember Warden, seconded by Councilmember Feierbach, and unanimously approved by a show of hands to direct the San Juan Hills Subcommittee to enter into negotiations with any proponent of alternative development schemes in the San Juan Hills, and to authorize an expenditure of up to \$1,000 from the Council Contingency Fund to assist with said negotiations, with the intent to recover such funds through development fees.

## **NEW BUSINESS**

### **Resolutions Making Appointments to the Arts and the Parks and Recreation (Adult and Youth) Commissions.**

Mayor Metropulos stated that the Council interviewed many excellent candidates for these positions.

Councilmember Feierbach stated that there were many ideas generated during the interview process.

Councilmember Bauer stated for the record that although he was unable to attend the first round of interviews, he listened to the tapes.

Council concurred that a candidate would need three votes in order to be appointed.

City Clerk Cook distributed the ballots. City Manager Kersnar reported that the following candidates each received three or more votes:

Parks and Recreation (Adult): Judy King, Mike Dutto, Jonathan Gervais

Parks and Recreation (Youth): Jackie Kimmey, Christopher Lyon

Arts: Judie Davis, Karen Byrnes, Lisa Chin

**Action:** On a motion by Councilmember Mathewson, seconded by Councilmember Bauer, and approved by a unanimous show of hands, to adopt:

**Resolution No. 9513** making appointments to the Parks and Recreation Commission (Adult) for terms expiring on the first day of March, 2006. (**King, Dutto, Gervais**).

**Action:** On a motion by Councilmember Warden, seconded by Councilmember Mathewson, and approved by a unanimous show of hands, to adopt:

**Resolution No. 9514** making appointments to the Parks and Recreation Commission (Youth) for terms expiring on the first day of March, 2005. (**KimmeY, Lyon**).

**Action:** On a motion by Councilmember Mathewson, seconded by Councilmember Bauer, and approved by a unanimous show of hands, to adopt:

**Resolution No. 9515** making appointments to the Arts Commission for terms expiring on the first day of March, 2006. (**Davis, Byrnes, Chin**).

### **COMMISSION, COMMITTEE UPDATES, AND STAFF ITEMS**

#### **Authorization for the C/CAG representative to support the continuation of Measure A with modifications.**

Public Works Director Davis stated that direction was needed regarding programs and monetary allocations for the current planning for the reauthorization of Measure A. He reviewed the various projects that are being proposed, and clarified that \$8.5 million could be available for the City of Belmont if Measure A is reauthorized. He noted that the proposed Pedestrian/Bike Bridge could be considered a potential project, especially since the design work was completed. He also noted that although the current recommendation for the local allocation is 20 percent, a higher percentage could be recommended. He reviewed language relative to BART and water transit terminal facilities.

Council discussion and staff clarification ensued regarding specific programs, the reauthorization process, and the recommendations outlined in the staff report.

Councilmember Mathewson stated that he supported the recommendation that development based projects should be funded by local development, not Measure A.

Councilmember Warden stated that he supported a mandate of 25 percent funding for local projects.

**Action:** On a motion by Councilmember Warden, seconded by Councilmember Feierbach, and unanimously approved by a show of hands, to authorize the C/CAG representative to support the continuation of Measure A, with modifications to:

- Increase local funding to 25%
- Eliminate feasibility study for extension of BART into San Mateo County
- Eliminate development-based projects, including water transit facilities
- Provide flexibility for better and more effective choices of projects

**Consideration of Second Alternate for the San Mateo County Library Joint Powers Authority (JPA) Assignment.**

City Manager Kersnar stated that neither the Council delegate (Warden) nor the alternate (Mathewson) to the County Library JPA would be able to attend the April meeting. He noted that there is a critical vote scheduled for that meeting regarding revisions to the JPA agreement. Councilmember Mathewson added that previous issues and questions had been clarified, and he anticipated there would be few issues remaining.

Councilmember Feierbach volunteered for this assignment.

**Action:** On a motion made by Councilmember Bauer, seconded by Councilmember Mathewson, appointment of Councilmember Feierbach as second alternate to the San Mateo County Library Joint Powers Authority (JPA) for its April meeting only was unanimously approved by a show of hands.

**MATTERS OF COUNCIL INTEREST/CLARIFICATION**

**Discussion regarding a dedicated line (or voice-mail) for anonymous code enforcement calls. Discussion to include what are our options. (Can our technology department help us?) (Feierbach)**

Councilmember Feierbach recommended installing a dedicated voicemail line in order to remove the human factor for the anonymous code enforcement system. She added that it was her understanding that this could be accomplished with minimal cost.

**Action:** On a motion by Councilmember Mathewson, seconded by Councilmember Warden, and approved unanimously by a show of hands, to direct staff to install a dedicated voicemail line for anonymous code enforcement reporting.

**ADJOURNMENT at this time, being 9:30 P.M.**

Terri Cook



City Clerk

Meeting Tape Recorded & Videotaped

Tape #576